

REMARKS

Initially, it is noted that the Examiner has identified a typographical error on the information disclosure statement previously submitted and has objected to the drawings. Applicant submits herewith a new information disclosure statement with the patent number of the reference corrected and formal drawings. Consideration of the reference identified on the newly submitted information disclosure statement and withdrawal of the Examiner's objection to the drawings are respectfully requested.

The Examiner has objected to claims 17, 24 and 28-29 due to certain informalities. Applicant has amended the claims as suggested by the Examiner. Withdrawal of the Examiner's objection to claims 17, 24 and 28-29 is requested.

In addition, the Examiner has rejected claims 17-22 under 35 USC §102(b) as being anticipated by Azam, U.S. Patent 6,339,867. Claims 23-29, 35 and 36 have been rejected under 35 USC §103(a) as being unpatentable over the Azam '867 patent and further in view of Rio, U.S. Patent 2,200,895. Claims 30-31 have been rejected under 35 USC §103(a) as being unpatentable over the combination of the Azam '867 patent and the Rio '895 patent, and further in view of Grande et al., U.S. Patent 6,776,928. Claims 32-34 have been rejected under 35 USC §103(a) as being unpatentable over the combination of the Azam '867 patent, the Rio '896 patent and the Grande et al., '928 patent, and further in view of Oorei et al., U.S. Patent 6,505,424. Applicant has amended the claims to more particularly define the invention for which protection is sought. Reconsideration of the Examiner's rejections is respectfully requested in view of the following comments.

Claim 17 defines a clamping device for a shoelace including a base having an inner surface defining a cavity for receiving the shoelace and an upper transverse edge. A movable slider is partially received in the cavity of the base. The slider is movable between a first clamping position wherein the shoelace is captured between the slider and the inner surface

of the base and a second, non-clamping position wherein the shoelace may be drawn through the cavity. A biasing structure urges the slider towards the clamping position. A protrusion extends from the slider. The protrusion is movable between a first position wherein the slider is free to move to the clamping position and a second position wherein the protrusion extends over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position. Movement of the shoelace in a shoelace pulling direction causes the protrusion to move from the second position to the first position. As hereinafter described, the cited reference does not show or suggest a protrusion extending over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position or the movement of the shoelace in a shoelace pulling direction to cause the protrusion to move from the second position to the first position.

The '867 patent discloses a device for fastening a flexible tie. The device includes a hollow body provided with a guiding channel that forms a funnel for a translationally movable blocking element. The blocking element is subject to the constant action of an elastic element. The hollow body is housed in a case where it can move translationally parallel to the blocking element, and the blocking element is maintained in the case, on one side by virtue of the elastic element that acts directly between the blocking element and the case, and on other side by virtue of an abutment. A retractable abutment makes it possible to retain the hollow body against the blocking element to block the tie, or to release this hollow body so as to enable the sliding of the tie. The fastening device is particularly adapted to ensure the adjustment of a garment or a shoe by means of a tie, such as a lace. It is noted, however, that nothing in the '867 patent shows or suggest a protrusion protrusion extending from the slider and which is movable between a first position wherein the slider is free to move to the clamping position and a second position wherein the protrusion extends over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position. As a result, unlike the clamping device of independent claim 17 wherein movement of the shoelace in a shoelace pulling direction causes the protrusion to move from the second position to the first position, movement of the shoelaces in the '847 patent does not allow for the protrusion to move to the first position, thereby allowing the slider to return to its

clamping position. Such an arrangement is entirely absent from the cited reference. Hence, it is believe that claim 17 defines over the cited reference and is in proper form for allowance.

Claims 19-23 depend from claim 17 and further define a clamping device not shown or suggested in the art. It is believed that claims 19-23 are allowable as depending from an allowable base claim and in view of the subject matter of each of the claims.

Claim 24 defines a clamping device for a shoelace including a base defining a cavity and having a first cogged surface, a second cogged surface, and an upper transverse edge. A movable slider is partially received in the cavity of the base and has first and second cogged surfaces. The slider is movable between a first clamping position and a second, non-clamping position. A biasing structure urges the slider towards the clamping position. A protrusion extends from the slider. The protrusion is movable between a first position wherein the slider is free to move to the clamping position and a second position wherein the protrusion extends over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position such that movement of the shoelace in a shoelace pulling direction causes the protrusion to move from the second position to the first position. The first cogged surface of the slider and the first cogged surface of the base define a first passageway for receiving a first portion of the shoelace therethrough. The second cogged surface of the slider and the second cogged surface of the base define a second passageway for receiving a second portion of the shoelace therethrough. The first portion of the shoelace is clamped within the first passageway with the slider in the clamping position and the second portion of the shoelace is clamped within the second passageway with the slider in the clamping position.

As previously noted with respect to independent claim 17, nothing in the '867 patent shows or suggests a clamping device incorporating a protrusion extending over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position or the movement of the shoelace in a shoelace pulling direction to cause the protrusion to

move from the second position to the first position. The Rio '895 patent cannot cure the deficiencies of the '867 patent.

The '895 patent discloses a shoestring fastener having a shell or stationary jaw in which a wedge or movable jaw is mounted. The shell has wall portions cooperating with the movable jaw for gripping portions of the shoestring passing through the shell and the moveable jaw being urged into position for wedging fit between the wall portions, but being shiftable to a releasing position when pull is exerted to tighten the shoestring. Hence, similar to the '867 patent, nothing in the Rio '895 patent shows or suggests a clamping device incorporating a protrusion extending over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position or the movement of the shoelace in a shoelace pulling direction to cause the protrusion to move from the second position to the first position. In fact, unlike the clamping device of independent claim 24, pulling on the shoestring disclosed in the Rio patent causes the movable jaw to shift to a release position, not a clamping position. Hence, it is believed that independent claim 24 defines over the cited references and is in proper form for allowance.

Claims 27-28 depend from claim 24 and further define a clamping device not shown or suggested in the art. It is believed that claims 27-28 are allowable as depending from an allowable base claim and in view of the subject matter of each of the claims.

Claim 29 defines a shoe including a shoelace for maintaining the shoe on a foot of a wearer. The shoelace has first and second ends. A clamping device secures the shoelace at a used desired location. The clamping device includes a base having an inner surface defining a cavity for receiving the shoelace and an upper transverse edge. A movable slider is partially received in the cavity of the base. The slider is movable between a first clamping position wherein the shoelace is captured between the slider and the inner surface of the base and a second, non-clamping position wherein the shoelace may be drawn through the cavity. A biasing structure urges the slider towards the clamping position. A protrusion extends from the slider. The protrusion is movable between a first position wherein the slider is free

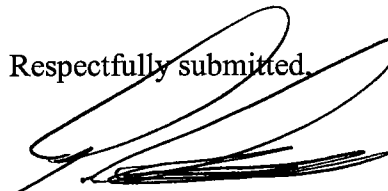
to move to the clamping position and a second position wherein the protrusion extends over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position such that movement of the shoelace in a shoelace pulling direction causes the protrusion to move from the second position to the first position.

As noted with respect to claim 24, neither the '867 patent nor the Rio '895 patent show or suggest a shoe with a clamping device incorporating a protrusion extending over the upper transverse edge of the base for selectively maintaining the slider in the non-clamping position or the movement of the shoelace in a shoelace pulling direction to cause the protrusion to move from the second position to the first position. As such, it is believed that independent claim 29 defines over the cited references and is in proper form for allowance.

Claims 30-36 depend from claim 29 and further define a shoe not shown or suggested in the art. It is believed that claims 30-36 are allowable as depending from an allowable base claim and in view of the subject matter of each of the claims.

Applicant believes that the present application with claims 17, 19-24 and 27-36 is in proper form for allowance and such action is earnestly solicited. The Director is authorized to direct payment of any additional fees associated with this or any other communication, or credit any overpayment, to Deposit Account 50-1170.

Respectfully submitted,



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